



MORGANTOWN PLANNING COMMISSION

April 25, 2013

6:30 PM

City Council Chambers

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Jennifer Selin, City Council

STAFF REPORT

CASE NO: TX13-03 / Administrative / Principal Structures on a Parcel

REQUEST:

Administratively requested text amendments to Article 1363.04 of the Planning and Zoning Code as it relates to the number of principal structures permitted on a parcel.

BACKGROUND and ANALYSIS:

Article 1363.04(A) provides that:

“Structures on a Lot. Only one principal building and its accessory structures may be located on a lot unless development is approved as a planned unit development, or as a shopping center, office park, or research and development center as permitted in the O-I, B-5, and I-1 districts.”

The recent development of townhouses and apartment buildings in the City has resulted in the resubdividing of existing parcels to fit residential development site layouts that include multiple buildings.

It appears that excluding townhouse and multi-family developments from the no-more-than one principal structure per lot or parcel provision as afforded to similar land uses and development patterns is prudent. In so doing, site designers will be able to focus on the highest and best development pattern given existing parcel geometry, site characteristics, and topographical challenges rather than how a larger site must be subdivided to achieve one principal building per lot or parcel and related internal building setback requirements.

Additionally, the current provision identifies specific zoning districts within which specific land uses are exempted from the restriction of no-more-than one principal building per lot or parcel. Where land uses can be developed is currently controlled by Table 1331.05.01 “Permitted Land Uses.” Restating where land uses are permitted in Article 1363.04(A) is both not necessary and may inadvertently conflict with Table 1331.05.01 as it is amended over time.

STAFF RECOMMENDATION:

The Planning Division respectfully advises the Planning Commission to forward a favorable recommendation to City Council to amend 1365.09 “Parking Development Standards” as presented below (deleted matter struck through; new matter underlined).

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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1363.04 SPECIAL REQUIREMENTS.

The following special requirements are established to clarify certain conditions pertaining to the use of lots and access points:

- (A) Structures on a Lot. Only one principal building and its accessory structures may be located on a lot unless development is approved as a planned unit development, ~~or as a shopping center, office park, or research and development center, townhouse dwellings, or multi-family dwellings~~ as permitted in ~~the O-1, B-5, and I-1 districts~~ Table 1331.05.01 "Permitted Land Uses.
- (B) Lot of Record. Any lot recorded or in single ownership at the time of adoption of these regulations shall be permitted to exist in its present dimension.
- (C) Permanent Outdoor Display of Goods. For nonresidential uses in nonresidential zones, a permanent outdoor display of goods shall conform to the required building setback. No display shall be permitted in any public right-of-way.
- (D) Temporary Outdoor Display of Goods. Temporary outdoor display of merchandise may encroach ten (10) feet on the required building setback. No display shall be permitted in any public right-of-way.

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